IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

WP(C).No. 2976 of 2006(D)

PETITIONER:

C.M. THAMPI,
CHELAKKAL HOUSE, KOLENCHERRY P.O., PIN-682 311.

BY ADV. SRI.A.JAYASANKAR
SRI.MANU GOVIND

RESPONDENTS:

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1. DISTRICT LABOUR OFFICER,
ERNAKULAM, CIVIL STATION, KAKKANAD, KOCHI.

2. MARTEK ENGINEERING WORKS,
817, RAHEJA CHAMBERS, 213, NARIMAN POINT,
MUMBAI-400 021, REPRESENTED BY ITS GENERAL MANAGER

BY GOVERNMENT PLEADER SRI. BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

EXT.P1: COPY OF ORDER DATED 28.10.2002 FROM LABOUR COURT, ERNAKULAM.

EXT.P2: COPY OF LETTER DATED 24.11.2003 SENT BY PETITIONER TO 1ST RESPONDENT.

TRUE COPY

PA TO JUDGE.

S. SIRI JAGAN, J.

W.P.(C) NO. 2976 OF 2006

Dated this the 10th day of August, 2007

J U D G M E N T

This writ petition is filed by the petitioner for directing the 1st respondent to take appropriate steps to recover the amounts as awarded in Ext.P1 order of the Labour Court, Ernakulam in proceedings under Section 33C(2) of the Industrial Disputes Act. Although notice has been received by the 2nd respondent, who is the management in C.P., there is no appearance on the part of the 2nd respondent.

2. I have heard the learned Government pleader also. The learned Government pleader submits that a crossed cheque for Rs.31,473/- was received by the 1st respondent on 30.6.2005 apparently in payment of the amounts covered by Ext.P1. Since the 1st respondent did not have an official bank account, the same could not be encashed. Therefore, the same has returned with a direction to produce demand draft for the same. In spite of two reminders, the 2nd respondent has not responded so far is the submission made.

In the above circumstances, there would be a direction to the 1st respondent to take appropriate steps for recovery of the amounts

covered by Ext.P1 by coercive means and to take the same to its logical conclusion as expeditiously as possible, at any rate, within three months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

Acd/